APPENDIX

Susan G. Reeves

Petitioner

vs. No. 841 of October Term, 1941

William Beardall, as Ex'or., etc.

Petition for Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted February 9, 1942

In the District Court, petitioner sued respondent in a complaint containing several causes of action.

The trial court entered what purported to be a final judgment against the petitioner on one of those causes of action; and an appeal therefrom was prosecuted by her to the Court of Appeals.

The latter Court dismissed that appeal upon the ground that, since the other causes of action below had not been disposed of, the appealed judgment was not final.

In this Court, the contention is that, under the FEDERAL RULES OF CIVIL PROCEDURE, such a judgment of a trial court is, nevertheless, appealable.

(The RULES have, of course, no application to orders and judgments in a Court of Appeals.)